



Statement of Case

Beckley Stud
Reeds Lane
Southwater
Horsham
RH13 9DQ

On Behalf of

Mr Lee Middleton

Prepared by
Charlotte Catton-Giltinane AssocRTPI



May 2026

CONTENTS

1. INTRODUCTION	3
2. BACKGROUND	5
3. EQUINE AMERICA BUSINESS AND THE NEED FOR A RURAL LOCATION	7
4. RELEVANT PLANNING HISTORY	9
5. PRINCIPLE OF DEVELOPMENT	12
6. CONCLUSION.....	19

Appendix A – Location Plan and Plans of Building

Appendix B – Transport Note

Appendix C – Preliminary Ecological Appraisal

Appendix D – Correspondence with Enforcement Officer

Appendix E – Officer Report

Appendix F – Decision Notice

Appendix G – Justification Report

1. INTRODUCTION

- 1.1 This Statement of Case relates to the refusal of planning permission under application DC/25/2133 dated 20th March 2026.
- 1.2 The application sought consent for the erection of a new storage building and associated hardstanding, and the retention of existing installed hardstanding, at Beckley Stud, Reeds Lane, Southwater, West Sussex, RH13 9DQ.
- 1.3 The appeal is made on behalf of Mr L Middleton (owner of the site).
- 1.4 The council refused the application for two reasons:
- The development would not be essential to its countryside location and, by reason of its scale and design, would be detrimental to the rural landscape character and tranquillity of the site and surrounding area, contrary to Policies 10, 25, 26, 32 and 33 of the Horsham District Planning Framework (2015) and Policies SNP16, SNP21 of the Southwater Neighbourhood Plan.
 - It has not been demonstrated that the scale of the development would not lead to unacceptable harm to neighbouring amenity by way of increased activity and vehicular movements, contrary to Policy 33 of the HDPF and Policy SNP16 of the Southwater Neighbourhood Plan.
- 1.5 The appeal site already benefits from an established mixed-use planning permission following the Inspector's decision under appeal reference APP/Z3825/W/23/3324019, which accepted the principle of the storage and distribution use associated with Equine America UK operating from Beckley Stud alongside the lawful equestrian and residential uses of the site. That decision confirmed that the commercial storage and distribution activities were functionally linked to the equestrian enterprise and represented an acceptable form of rural diversification in this countryside location. Accordingly, the principal issue in the current appeal is not whether commercial storage and distribution associated with Equine America is acceptable in principle at Beckley Stud, as this has already been established, but rather whether the scale of the proposed building and the operational requirements of the growing business are acceptable in planning terms.

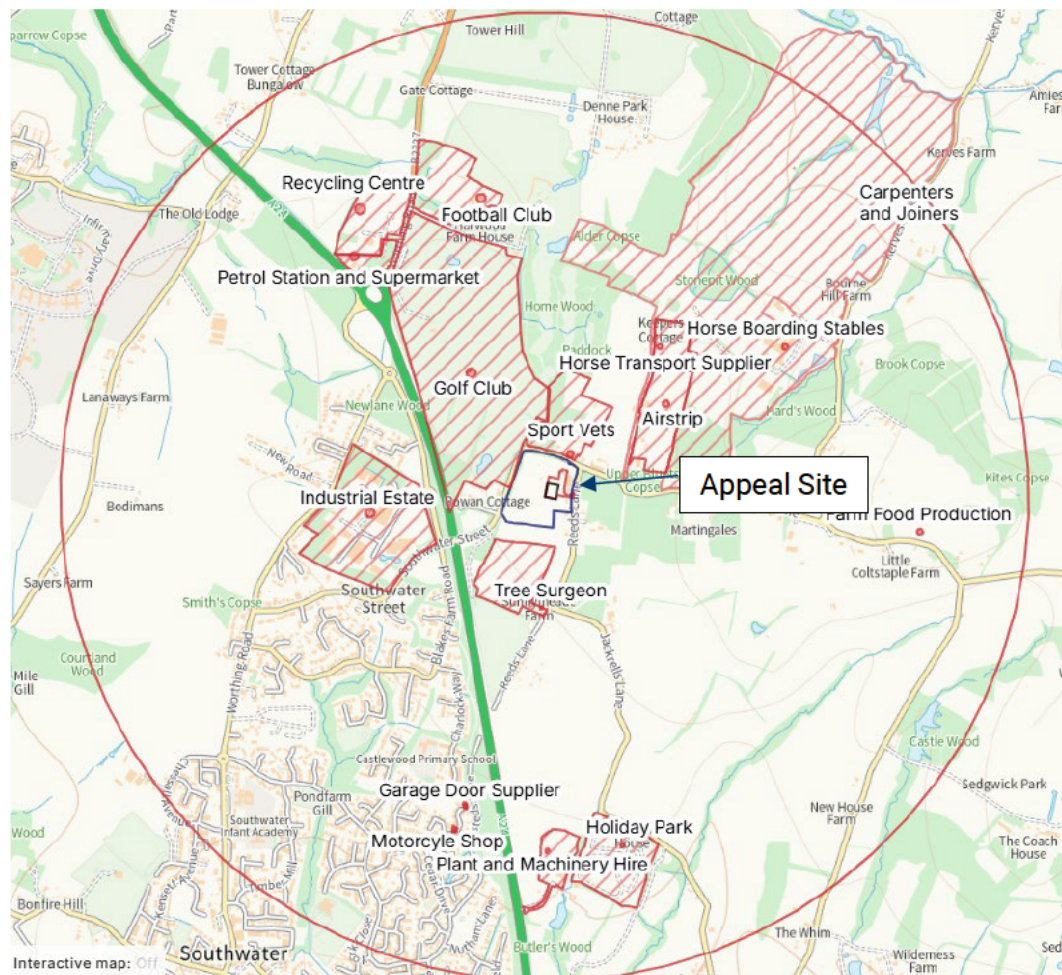
- 1.5 This Statement of Case sets out the background to the planning application and the reasons why permission should be granted.

2. BACKGROUND

The Appeal Site and Surrounding Area

- 2.1 The site is located close to the settlement of Southwater (approximately 0.4km away on the opposite side of the A24). Whilst there is a cluster of development at and around Beckley Stud, the site is located outside of a defined settlement boundary and therefore is located within the countryside.
- 2.2 Within a one-mile radius of the appeal site there are however several established commercial businesses operating within the locality, as illustrated in Figure 2.1. The surrounding area therefore already exhibits a mixed rural commercial character, comprising a range of dispersed rural enterprises alongside agricultural, equestrian, and residential uses. In this context, the proposed development would not appear isolated, anomalous, or out of keeping with its surroundings, but would instead integrate within the existing pattern of commercial activity that characterises this part of the countryside.

Figure 2.1 – Commercial Operations within 1 Mile of Site (Shaded Red)



- 2.3 Beckley Stud is accessed via Reeds Lane and occupies 11 acres. It has a longstanding lawful equestrian use and occupies paddocks, a redundant sandschool, a stable building, a rural workers dwelling and a dark green steel clad storage building. There is also a temporary storage marquee on site that is subject to a current appeal reference APP/Z3825/C/26/3377845.
- 2.4 The existing storage building and lean-to has a lawful use for the storage and distribution of Equine America UK products which was approved on appeal under reference APP/A3825/W/23/3324019, decided on 7th May 2025. The inspector in that appeal expressly accepted that the storage and distribution use was functionally linked to the established equine enterprise and that the building was appropriately scaled and caused no material harm to the character or appearance of the area.
- 2.5 To the west of the existing storage building is an area of hardstanding on which, at the time of the application, eight storage containers were located. These containers were the subject of enforcement notice EN/23/0124 and were required to provide overflow storage for Equine America products, as the existing storage building had reached full capacity.
- 2.6 A temporary weatherproof structure was subsequently erected to accommodate the contents of the containers pending determination of the application associated with this appeal (DC/25/2133). The containers have since been removed from the site within the required timescales. However, a permanent storage building is necessary to enable Equine America to operate effectively and to provide secure and appropriate storage facilities and to eliminate the need for the temporary structure located on site.
- 2.7 The site is located within Flood Zone 1 and is outside of any locally designated landscape. Kings Farmhouse, a Grade II listed building lies approximately 65 meters to the north, Newfoundout East, also a Grade II listed property lies approximately 200 meters to the south-east. The Council's Officers Report acknowledges that the separation distances are such that there is no adverse impact on the setting or significance of either listed building.

3. EQUINE AMERICA BUSINESS AND THE NEED FOR A RURAL LOCATION

- 3.1 Equine Americal ("EA") is a well established equine nutrition company that specialises in the research, development, production and global distribution of high quality nutrition supplements for horses. EA is owned by the appellant who also owns the appeal site and the relationship between the equestrian facility and the commercial operation is fundamental to the functioning of both enterprises.
- 3.2 The connection between EA's commercial operation and the rural equestrian setting of Beckley Stud is not incidental; it is intrinsic. Beckley Stud functions as a live, working research and development facility, enabling EA to test and refine its nutritional products using horses that are bred, trained, and kept on site.
- 3.3 This operational environment, involving horses across a range of disciplines including competition and breeding, ensures that EA's products are developed and optimised under conditions that closely reflect those experienced by its customers worldwide. Such a specialist testing and development environment could not be replicated within an urban or generic commercial setting.
- 3.4 The site has a longstanding working relationship with The Billy Stud, a local stud farm. Beckley Stud continues to operate as a breeding facility in partnership with The Billy Stud, with horses, ponies, and foals kept at Beckley Stud, including within the external field shelters, during product testing.
- 3.5 This active equestrian use provides the commercial credibility and practical testing environment that underpin EA's international reputation for quality.
- 3.6 EA supplies its products globally, with purchasing patterns varying significantly between markets. Customers in the United Kingdom typically purchase products in 1kg tubs, whereas customers in the United States and mainland Europe commonly purchase larger 5–10kg tubs, reflecting the scale of overseas equestrian operations, which often accommodate between 40 and 100 horses, compared with the one or two horses typically owned in the UK.

- 3.7 It is important to note that the Inspector in the earlier appeal (APP/Z3825/W/23/3324019) expressly recognised EA's countryside location as being justified by its functional link to the equestrian activities at Beckley Stud. The Inspector stated that Beckley Stud provides EA with a bespoke research and development facility in which to test and improve its products.
- 3.8 This finding is directly relevant to the assessment of the current proposal, as despite the Council's remarks, the site continues to operate in this manner today.
- 3.9 The Appellant submits that this functional relationship with the rural equestrian setting is of central importance. EA does not simply require a warehouse. It requires a base that is genuinely integrated with a working equestrian operation so that its products can be continuously tested, improved, and validated against the real world conditions experienced by its customers. The rural countryside location is therefore not merely convenient it is operationally essential.
- 3.10 Further details of the justification can be found in the report provided in Appendix G .

4. RELEVANT PLANNING HISTORY

4.1 The site has an extensive planning history, of particular relevance to this appeal are the following:

Existing Storage Building and Lean To (APP/Z3825/W/23/3324019)

4.2 The Planning Inspectorate allowed an appeal on the 7th May 2024 (Inspector R. Satheesan) relating to the retention of the existing green steel-clad storage building and mono pitch lean to at Beckley Stud for storage and distribution use by EA, and the resulting mixed use of the site as a whole for equestrian, residential and commercial purposes. That decision quashed an enforcement notice and granted retrospective planning permission for the building.

4.3 With this appeal the inspector accepted that:

- The use was intrinsically linked to the established equine operation on the site
- The building was of a scale appropriate to its countryside location
- The development did not give rise to material harm to the character or appearance of the area
- The storage and distribution use of equine related products was an acceptable form of diversification ancillary to the equestrian enterprise

4.4 The decision is a clear and directly relevant precedent that established the principle of storage and distribution use associated with EA at Beckley Stud as acceptable in this countryside location. The proposed building subject of this appeal continues the same established function at a scale proportionate to the operational growth of the business as evidenced in the accompany justification report located within Appendix G.

4.5 This report, whilst not submitted as part of the original planning application, would have been provided during the Council's consultation period had it been requested. However, no communication was received from the Council during the consultation process to indicate that there were concerns regarding the application or that further justification was required. Had such a request been made, we would have been pleased to provide the additional information.

- 4.6 Notwithstanding this, clear justification for the proposal was already set out within the accompanying Design and Access Statement and through the site's existing permitted use.

Enforcement Notice EN/23/0124 – External Storage Containers and Hardstanding

- 4.7 Enforcement Notice EN/23/0124 was issued on the 17th May 2023 relating to the construction of hardstanding and the erection of eight metal storage containers in the western part of the site.
- 4.8 The technical compliance period under the enforcement notice was 12 months from the date of service. However, as acknowledged by the Compliance Officer, Mr Reg Hawks of HDC, in correspondence dated 22 September 2025 and attached at Appendix D, the delay caused by the Planning Inspectorate in determining the related appeal (APP/Z3825/W/23/3324019), which was not decided until 7 May 2025, meant that it was not unreasonable to treat the enforcement notice as taking practical effect from the date of the appeal decision. Mr Hawks therefore advised that the appellant had until 7 May 2026 to comply.
- 4.9 The submission and determination of the current application was intended to coincide with this compliance deadline. As previously stated, in order to facilitate the removal of the storage containers from the site, a temporary structure ("marquee") was erected to provide temporary weather protection and security for the products previously stored within the containers.
- 4.10 This temporary structure has since been subject to enforcement action by Horsham District Council, on the basis that planning permission is required, and is now the subject of a current appeal (APP/Z3825/C/26/3377845). The purpose of that appeal was to allow the temporary structure to remain in place whilst application DC/25/2133 was being determined, with the expectation that, if planning permission were granted, the temporary structure could subsequently be removed.

The Council's Steer on Application DC/25/2133

- 4.11 A matter of significant weight in this appeal is the clear pre-application guidance provided by Horsham District Council's Principal Planning Officer (Compliance), Mr Reg Hawks, in his email to the Appellant's agent dated 22 September 2025,

attached at Appendix D. Whilst the Inspector will have the full correspondence before them as part of the appeal documentation, several key points warrant particular emphasis:

- Mr Hawks confirmed that the Council would regard compliance with the enforcement notice as running from 7 May 2025, thereby allowing the Appellant until 7 May 2026 to achieve compliance. The Appellant has complied within that timeframe.
- He stated that the compliance period would “coincide with the submission and determination of an application for a replacement building / purpose-built storage building on the footprint of the sand school.”
- He further advised that the Appellant “could consider omitting the pre-application submission stage in order to expedite the process.”

4.12 The correspondence from Mr Hawks dated 22 September 2025 is relied upon as a relevant contextual consideration in understanding the circumstances that gave rise to the current application. It is fully acknowledged that advice provided by an Enforcement Officer cannot bind the Council in the determination of a planning application, nor can it be taken as an indication of policy support for the proposal. Nevertheless, the correspondence demonstrates that the Appellant acted reasonably, proactively, and in good faith in seeking to address the existing enforcement issues at the site.

4.13 Importantly, the advice provided by Mr Hawks clearly envisaged the submission of a planning application for a replacement storage building on the footprint of the former sand school as part of the process of securing compliance with the enforcement notice within the agreed timeframe. The current proposal has therefore arisen from the Appellant’s genuine efforts to regularise and consolidate existing storage arrangements through the provision of a permanent purpose-built structure, rather than from any deliberate or speculative intensification of activities at the site.

5. PRINCIPLE OF DEVELOPMENT

- 5.1 The Officer's Report suggests that the development is not essential to its countryside location and that the storage of goods for the equestrian market does not require a countryside location. However this analysis ignore the binding significance of the Inspector's previous decision on the same site.
- 5.2 The 2025 Inspector expressly found that EA's storage and distribution activities were functionally and intrinsically linked to the equestrian operation at Beckley Stud. That finding is a material consideration with the Inspector granting planning permission on the basis that the commercial use was an appropriate and proportionate form of rural diversification, directly related to the equestrian enterprise and use of the site. The current proposal is the natural extension of that same accepted relationship.
- 5.3 The Officer's report does however acknowledge the Inspector's previous decision but seeks to distinguish it on the ground of scale and on the basis that the equestrian use of the site may be diminishing. The Appellant contests both grounds.
- 5.4 With regards to the scale the building subject to this appeal at 1,575 sqm is larger than the existing permitted storage building on site. However, the case of the building in not based solely on the size of the existing building but on the operational necessity of the business. EA has grown substantially since the existing storage building was first erected and is now a key employee and employees staff who live within 5 miles of the site and therefore provides key rural employment opportunities. International demand particularly from the United States and Europe has created a genuine requirement for greater storage capacity. The proposed building also replaces eight storage container with a combined footprint of 357 sqm along with a temporary structure providing a consolidated purpose designed facility that is in keeping with the site. The scale of the proposed building is directly driven by demonstrated commercial need.

- 5.5 As regards equestrian activity, the Officer's Report raises concerns that the separate application for the conversion of the stable block to offices under application DC/25/1444 indicates a reduction in equestrian activity at the site. The Appellant notes that this application remains under consideration, despite having been due for determination in November 2025.
- 5.6 The equestrian use of the site, including horse breeding, training, and the research and development of EA's equine nutritional products, remains ongoing and has been demonstrated to the Planning Officer responsible for determining application DC/25/1444. Accordingly, the Inspector's finding that Beckley Stud continues to operate as a working equestrian facility remains accurate and relevant.
- 5.7 Whilst the sand school is no longer required for the same level of exercise activity, due to the availability of approximately 11 acres of paddock land, it nevertheless represents the most appropriate and practical location for the proposed building, having regard to its proximity to the existing built form and its status as previously developed land within the site.
- 5.8 Policy 10 of the HDPF supports sustainable rural economic development and enterprise that maintains the quality and character of the area whilst sustaining its varied and productive social and economic activity. The policy supports new buildings in the rural area where they contribute to sustainable economic growth. EA is a growing rural enterprise with genuine operational needs. The proposed building directly supports those needs.
- 5.9 Policy 26 requires that proposals be essential to their countryside location and enable the sustainable development of rural areas. As set out in Section 2 above, the countryside location is essential to EA's research and development activities. The NPPF at paragraph 88 supports the sustainable growth and expansion of all types of business in rural areas, including through well-designed new buildings, and at paragraph 89 acknowledges that sites meeting local business needs may need to be found adjacent to or beyond existing settlements. Both provisions support the current proposal.

Employee Cap Condition

- 5.10 Within the Officers Report the Council places significant weight on the projected employee numbers from 12 to 19, treating this as an unacceptable intensification of use of the site due to Condition 2 of the appeal decision APP/Z3825/W/23/3324019 restricting the number of employees across the appeal site in connection with the equestrian use at any one time to 12.
- 5.11 The Appellant submits that this approach is fundamentally flawed for the following reasons:

Water Neutrality Context

- 5.12 The employee cap imposed by Condition 2 of the earlier appeal decision must be understood within its original policy context. At the time the condition was imposed, the Council was operating under the requirements of Natural England's 2021 Position Statement relating to the Sussex North Water Supply Zone and the Arun Valley SAC, SPA, and Ramsar sites. The Position Statement required all new development to demonstrate water neutrality in order to avoid adverse effects on the integrity of these internationally important habitat sites.
- 5.13 The restriction on employee numbers was therefore a mechanism for controlling water consumption at the site. By limiting the number of employees, the condition assisted in demonstrating compliance with the water neutrality requirements in force at that time. The condition was significant not because 12 employees represented an appropriate or proportionate level of activity for the site in planning terms, but because higher employee numbers would have resulted in increased water consumption at a time when water neutrality was a mandatory consideration.
- 5.14 On 31st October 2025, Natural England formally withdrew the 2021 Position Statement and no longer requires applicants to demonstrate water neutrality. The water neutrality requirement which imposed the employee cap has therefore ceased to apply.

- 5.15 The Officer's Report acknowledges the withdrawal of the water neutrality requirement in the context of the current appeal site. The Council's own Appropriate Assessment concludes that the proposed development will not have an adverse effect on the integrity of the Arun Valley site. It is therefore inconsistent for the Council to continue to rely on an employee cap that was imposed as a water neutrality measure, when the water neutrality justification for that cap has been formally withdrawn.
- 5.16 The Appellant submits that the employee cap in Condition 2 of the earlier appeal site which covers the entirety of the site is no longer justified in planning policy terms. Were a separate application to vary Condition 2 of that earlier permission to be made it would be difficult for the Council to resist on any rational basis. The Inspector is respectfully invited to give no weight to the existing employee cap as a reason to refuse the appeal or to impose a similar restriction.
- 5.17 Furthermore, the current application does not propose any increase in employee numbers as a result of the proposed building itself. The proposed development comprises a storage building only, intended to facilitate the storage and distribution of EA's equine nutritional products. It does not contain offices, laboratories, welfare facilities, or other amenities that would generate additional employee demand.
- 5.18 Rather, the proposed building is essential to ensuring the long-term viability of the site and securing continued local employment associated with the existing business operations.
- 5.19 The Design and Access Statement refers to the possibility that additional storage capacity may, in time, enable EA to grow its workforce and provide further employment opportunities should the need arise. However, the building itself is solely for storage use and does not directly create jobs. Any future increase in employment would arise from overall business growth and operational demand, rather than from the physical construction of the building itself.

Landscape Character and Design

- 5.20 The Officer's Report concludes that the proposed building would give rise to adverse effect on the landscape character and visual amenity of the area. The Appellant accepts that the proposed building is larger than the existing storage building on site but contests the conclusion that this necessarily gives rise to unacceptable harm.
- 5.21 The proposed building is sited on the footprint of the existing sand school, which constitutes previously developed land within the site. It is located in close proximity to existing buildings, including the approved storage building and the stable block, and is therefore well related to the established built form of the enterprise. The Inspector in the earlier appeal specifically noted that the site's boundaries are already heavily screened.
- 5.22 The site is surrounded by mature hedgerows and tree cover, particularly on the northern and eastern boundaries. This vegetation which is deciduous and therefore denser in summer provides effective screening of the site in the key view points from Reeds Lane and the surrounding countryside. The buildings green steel cladding is consistent with the materials used in the existing approved storage building and is appropriate to a rural agricultural context.
- 5.23 The Inspector in APP/Z3825/W/23/3324019 assessed the visual impact of the existing green steel-clad storage building and lean-to and found it acceptable. Whilst the current building is larger, it is located in the central part of the site, set back from the site boundaries, and in close proximity to existing development. The incremental impact of the additional building must be assessed in the context of the existing site character which already includes substantial built form.
- 5.24 The sand school is identified as the most appropriate location for the proposed building precisely because it lies on previously developed land, is surrounded by existing buildings, and is situated furthest from the site boundaries. The Council has not suggested any alternative location within the site that would be more acceptable.

- 5.25 The Design and Access Statement acknowledged that additional landscaping could be provided if required. The Appellant would be willing to submit and implement a landscaping scheme as a condition of any permission, reinforcing the existing boundary planting and further softening the visual impact of the proposed building.
- 5.26 Policy 10 requires that new buildings in the rural area result in “substantial environmental improvement” or reduce the impact on the countryside. The proposed building would achieve this by replacing external storage and a temporary storage building which are unauthorised with a purposed designed, green clad agricultural style building set within the established development envelope of the site. The removal of the containers and temporary structure from the western edge of the site would also represent a clear and substantial environmental improvement.

Residential Amenity and Highways Impacts

- 5.27 The Council's second reason for refusal relates to the potential for unacceptable harm to neighbouring amenity by reason of increased activity and vehicular movements. The Appellant submits that this concern is overstated and could readily be addressed by conditions.
- 5.28 The proposed building is a storage building. It does not introduce any new uses to the site. The storage and distribution of EA's products will continue to operate in the same manner as at present, but with greater efficiency and without the need for external containers.
- 5.29 The Council's Officer's Report raises concern that the existing delivery restriction condition (Condition 7 of DC/22/0388) is difficult to enforce. This is not a reason to refuse the current application. It is a matter for the Council's enforcement team. The existence of a potentially difficult to enforce condition does not justify the refusal of an otherwise acceptable development.
- 5.30 The proposed building is intended solely for storage. By enabling EA to hold greater stock on site, it will allow delivery vehicles to be loaded to full capacity, rather than partially loaded, which may in turn reduce the total number of individual vehicle movements compared with the current arrangement. This represents a material operational benefit.

- 5.31 The residential properties most directly affected by the development are located on Coltstaple Lane and Reeds Lane. These properties are separated from the development by the site access track, the site boundaries, and substantial intervening vegetation. The Inspector in the earlier appeal considered the noise sensitivity of the area but found the storage and distribution use acceptable subject to conditions. The same conclusion should follow here.

Ecology and Biodiversity Net Gain

- 5.32 The application is accompanied by a Preliminary Ecological Appraisal prepared by Leith Ecology Consulting (December 2025). That report confirms that no further ecological surveys are required and that the proposal meets the de minimis threshold.
- 5.33 The Council's Ecology Consultant raised no objection to the proposal in principle, recommending only that mitigation measures be secured by condition. The Appellant accepts that appropriate ecological conditions should be imposed.
- 5.34 With regard to Biodiversity Net Gain, the Officer's Report confirms that the application is part-retrospective in respect of the hardstanding and would therefore be exempt from the statutory 10% BNG requirement under Schedule 7A of the Town and Country Planning Act 1990. The Appellant is willing to provide proportionate ecological enhancements through conditions.

6. CONCLUSION

- 6.1 The principle of storage and distribution use associated with Equine America at Beckley Stud has been firmly established by the Inspector's decision of 7 May 2025. That decision is a material consideration of significant weight.
- 6.2 The Council's enforcement officer, Mr Reg Hawks, positively steered the Appellant to submit a formal planning application for a storage building on the footprint of the sand school without a pre-application submission, in order to resolve the enforcement notice within the agreed compliance deadline of 7 May 2026. The Appellant acted in good faith on that steer.
- 6.3 The countryside location is essential to EA's research and development activities and to the ethos of its equine products business. The functional link between the commercial storage use and the equestrian activities at Beckley Stud has been accepted by a Planning Inspector.
- 6.4 The employee cap imposed by Condition 2 of the earlier appeal decision was a water neutrality measure. The water neutrality requirement has been formally withdrawn by Natural England. It is unreasonable to continue to apply that cap in circumstances where its underlying justification no longer exists.
- 6.5 The proposed building does not itself generate additional employees. It is a storage building only. Any future growth in employment will be the result of business success, not the physical construction of the building.
- 6.6 The proposed building replaces unsightly shipping containers and a temporary marquee structure with a purpose designed, green-clad agricultural building, representing a substantial environmental improvement and a reduction in the visual impact on the countryside.
- 6.7 Any residual concerns about landscape impact, residential amenity, and highways can be addressed through appropriately worded conditions, in accordance with the principle that conditions should be imposed in preference to refusal where they would overcome identified concerns.

- 6.8 The development supports a growing rural enterprise that contributes to local employment and the rural economy, consistent with NPPF paragraphs 85, 88 and 89 and HDPF Policies 7, 9 and 10.
- 6.9 For all these reasons, the Appellant respectfully submits that the appeal should be allowed and planning permission granted, subject to appropriate conditions. The Inspector is invited to impose conditions in the terms discussed above, or such other conditions as the Inspector considers appropriate.